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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy R. Socier et al.) PATENT APPLICATION
Serial No.: 10/811,180) LMS3072P0270US (LS-034/037)
Filed: March 26, 2004) Confirmation No. 2025
For: VALVE FOR DISPENSING) Group Art Unit: 3754
PRODUCT) Examiner: Joseph A. Kaufman

RESPONSE

Commissioner For Patents
P. O. 1450
Alexandria, Virginia 22313-1450

Dear Sir:

This is in response to the Official Action dated May 23, 2005.

ELECTION OF SPECIE

Applicants provisionally elect the specie B drawn to FIGS. 15-29 as defined by the Examiner.

LISTING OF ALL CLAIMS READABLE ON THE ELECTED SPECIE B

The following claims read on each (all) of the embodiments designated specie B which are illustrated in FIGS. 15-29: claims 9, 10, 12, 13, and 16.

THE ELECTED SPECIE B INCLUDES FOUR (4) EMBODIMENTS

Specie B includes four different embodiments: the embodiment illustrated in FIGS. 15-24, the embodiment illustrated in FIG. 25, the embodiment illustrated in FIG. 26, and the embodiment illustrated in FIGS. 27-29.

REQUEST TO CONSIDER CLAIM 9 TO BE GENERIC

The Examiner has stated that it appears that no claim is generic.

Applicants strongly disagree.

Claim 9 is generic and covers both specie A drawn to FIGS. 1-14 and specie B drawn to FIGS. 15-29.

The first subparagraph of claim 9 sets forth a peripheral attachment portion (e.g., portion 50 in the specie A embodiment shown in FIGS. 4 and 5, and portion 50A in the specie B embodiment shown in FIG. 17 (as well as portion 50B in the specie B embodiment shown in FIG. 25 and portion 50C in the specie B embodiment shown in FIG. 26)).

The second subparagraph of claim 9 also sets forth a sleeve which extends either inwardly or outwardly from the peripheral attachment portion (e.g., such a sleeve is designated by reference number 70 in the specie A embodiment as shown in FIGS. 7 and 8, and is designated by reference number 70A in the specie B embodiment shown in FIG. 17).

The third paragraph of claim 9 sets forth an elongate head having at least one elongate slit (e.g., the specie A head 90 in FIG. 8 and the specie B head 90A in FIG. 17).

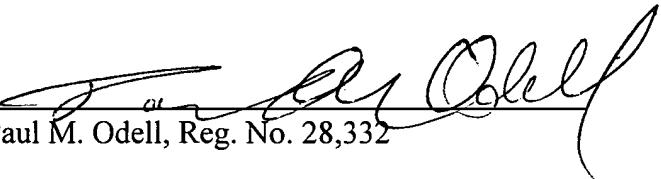
Claim 9 has a scope that clearly covers specie A and specie B. Indeed, it can be noted that claim 17 (which is indirectly dependent upon generic claim 9) sets forth a structure which is present in at least the specie B embodiments illustrated in FIGS. 15-24, FIG. 25, and FIG. 26, whereas claim 19 (which is indirectly dependent upon generic claim 9) sets forth a structure which is present in the specie A embodiment illustrated in FIGS. 1-14.

Accordingly, it is respectfully requested that the Examiner withdraw his conclusion that

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Accordingly, it is respectfully requested that the Examiner withdraw his conclusion that there does not appear to be a generic claim.

Respectfully submitted,

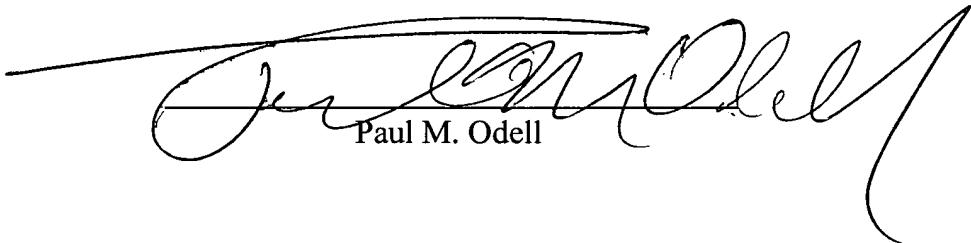
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on June 23, 2005.


Paul M. Odell